

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

KENNETH HOPPENS, *Individually and on
behalf of others similarly situated,*

Plaintiff,

v.

K&G MEN'S COMPANY, INC., *et al.,*

Defendants.

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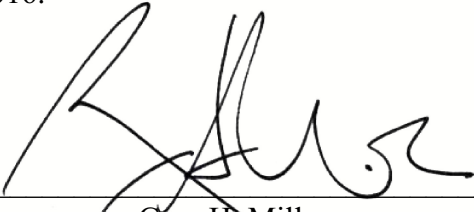
CIVIL ACTION H-14-2393

ORDER

On November 13, 2015, Orlando Romero filed his notice of consent to opt in to this collective action under the Fair Labor Standards Act. Dkt. 37. On May 4, 2016, defendants filed a motion to dismiss Romero's claims, informing the court that Romero has failed to respond to written discovery or appear for his deposition. Dkt. 49. On June 3, 2016, plaintiff's counsel filed a response, indicating that he has had no communication with Romero other than receiving Romero's consent form, and he has been unable to contact Romero via phone or mail. Dkt. 57.

Romero has shown no interest in prosecuting his claims. Accordingly, defendants' motion to dismiss (Dkt. 49) is GRANTED, and Romero's claims are DISMISSED without prejudice.

Signed at Houston, Texas on June 20, 2016.



Gray H. Miller
United States District Judge